

**From:** [Foster, Kirk A CAPT AJAG, 01](#)  
**To:** (b) (6) CAPT OPNAV N1, OJAG; [Kopplin, Shannon H CAPT NJS, N00](#); [Kiamos, Paul C](#); (b) (6)  
CAPT PACOM, J06; (b) (6) CAPT USFF, N01L; (b) (6) CAPT CPE, N01J; (b) (6) CAPT OPNAV,  
N09D; (b) (6) CAPT CNIC HQ, N00; (b) (6) CAPT RLSO NW, BREMERTON  
**Cc:** (b) (6) LCDR OJAG, CODE 11; (b) (6) LCDR OJAG, CODE 13; (b) (6) SJA,  
Judge Advocate Division; [Foster, Kirk A CAPT AJAG, 01](#)  
**Subject:** Ethics Working Group WG  
**Date:** Friday, October 16, 2015 4:46:39 PM  
**Attachments:** [Ethics Talking Points.pdf](#)

---

Colleagues --

My apologies for sending this late on a Friday, but it has been one of those days! As previously advised, the DJAG -- who is now the JAG -- tasked me to organize a Working Group to examine current ethics training for judge advocates and the delivery of advice to their clients. I discussed this project with several of you (perhaps all of you) back in the summer.

The goal is to identify weaknesses, gaps, and seams and to recommend best practices/products, consistent training methodologies (HOW we're training our judge advocates and HOW they are training and interacting with their clients), practice methodologies, and ideas for standardization across the fleet. The WG should address not only WHAT the JAGC is telling our judge advocates, but the HOW the JAGC is training them. This is true for our clients too. This means focusing on training efforts and methods, frequency of training, types of training (PPT vice scenario-based training), as well as providing our counsel the tools of dealing with a challenging client, when and how to engage jags further up the chain of command, how to better use technology, and so forth.

I've attached a document prepared by OJAG's Code 13 which reflects current training efforts at various levels for jags and non-jags. I think the WG should exercise a broad mandate and consider not only the training our people receive, but what they are passing to their respective clients and wardrooms (what and how).

I've added CAPT (b) (6) to the group. (b) (6) is doing a round of ethics assist visits throughout the fleet and obtaining valuable insights and lessons learned along the way which I'm sure will inform the WG's work. I've also added CAPT Caren McCurdy as a sitting RLSO CO who can provide a unique perspective from the installation level.

I've also copied Col (b) (6), USMC, the Deputy SJA to the Commandant. (b) (6) and I recently discussed this effort and agreed there are common issues across the services and that we'd both benefit from this effort. Col (b) (6) may provide a participant(s). Finally, I will reach out the USCG to see if they want to include a participant. I realize this is becoming a large group but having all of the equities and views represented will benefit the project as a whole.

I know each of you have a full time job and you are all extremely busy. Because of the emphasis on training, I've asked CAPT Shannon Kopplin as the CO of NJS to take the lead for the WG. I ask that you keep LCDR (b) (6) (Code 13's Ethics Branch Head) and LCDR (b) (6) (my XO) copied on the emails. I'll leave it up to you on how to organize your time and efforts. I do ask for a draft roadmap by 16 November as I owe an update to the JAG.

Thank you.

Vr Kirk

Kirk A. Foster  
CAPT, JAGC, USN  
Assistant Judge Advocate General (Civil Law)

Pentagon Room (b) (6)  
Phone: (b) (6)

-----Original Message-----

From: (b) (6) CAPT OJAG, CODE 13 (b) (6) @navy.mil>

Sent: Thursday, October 4, 2018 6:43 AM

To: (b) (6) CAPT N01J (b) (6) @navy.mil>; (b) (6) CAPT USFF, N01L (b) (6) @navy.mil>; Thow, Jonathan S CAPT NLSC, NJS (b) (6) @navy.mil>  
Cc: (b) (6) CAPT OJAG, Code 06 <(b) (6) @navy.mil>; (b) (6) CAPT NAVIG, N00L (b) (6) @navy.mil>; Thow, Jonathan S CAPT NLSC, NJS (b) (6) @navy.mil>; (b) (6) CDR NAVIG, N00L (b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) LCDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) CIV OJAG, OJAG (b) (6) @navy.mil>; Kiamos, Paul C CAPT AJAG 01, Front Office (b) (6) @navy.mil>; (b) (6) CAPT OPNAV, N00J (b) (6) @navy.mil>; (b) (6) CAPT OPNAV VCNO (b) (6) @navy.mil>  
Subject: RE: RFI's for JAG: Ethics Working Groups

All:

Many thanks for your feedback over the last few days, very much appreciate the opportunity to level-set everyone's understandings as to where things are (and are not). And please do not shoot the messenger--if you recall, C13 was only a participant in the EWG! This just happened to arise as a question during our in-brief with JAG and DJAG. That being said, if I might add a few points:

1. I don't have the accompanying notes to the slides referred to below, and appreciate seeing them. (b) (6)

\*\*If anyone on this email string has any recollection, please chime in!

2. I'm not sure the amount of turnover you had from your predecessor on the EWG, and it seems to vary from office to office. (b) (5)

3. Given the amount of feedback we received on implementing the approved items, C13 will consolidate and weave it into updated slides for JAG.

Finally, I understand (b) (5)

In the next week, C13 will draft a memo with some COAs and recommendations, so if you have any ideas that you'd like us to include please let us know at your earliest convenience.

V/R (b) (6)

-----Original Message-----

From: (b) (6) G CAPT N01J  
Sent: Monday, October 1, 2018 7:19 PM  
To: (b) (6) CAPT USFF, N01L (b) (6) @navy.mil>; (b) (6) CAPT OJAG, CODE 13 (b) (6) @navy.mil>  
Cc: (b) (6) CAPT OJAG, Code 06 (b) (6) @navy.mil>; (b) (6) CAPT NAVIG, N00L (b) (6) @navy.mil>; Thow, Jonathan S CAPT NLSC, NJS (b) (6) @navy.mil>; (b) (6) CDR NAVIG, N00L (b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) LCDR OJAG, Code 13 <(b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) CIV OJAG, OJAG (b) (6) @navy.mil>; Kiamos, Paul C CAPT AJAG 01, Front Office <(b) (6) @navy.mil>; (b) (6) CAPT OPNAV, N00J (b) (6) @navy.mil>; (b) (6) CAPT OPNAV VCNO (b) (6) @navy.mil>  
Subject: RE: RFI's for JAG: Ethics Working Groups

(b) (6),

(b) (5)

-----  
When I reviewed the annual training and certification for ECs on the Code 13 page of the JAG Portal (<https://portal.secnnav.navy.mil/orgs/JAG/13II/layouts/15/FormServer.aspx?XsnLocation=https://portal.secnnav.navy.mil/orgs/JAG/13II/InfoPathECAnnualForms.xsn&OpenIn=browser>), there was no self-assessment/self-certification requirement stated.

(b) (5)

Finally, I am confirming that (b) (5)

V/r,

(b) (5)

-----Original Message-----

From: (b) (6) CAPT USFF, N01L

Sent: Monday, October 01, 2018 11:52 AM

To: (b) (6) CAPT OJAG, CODE 13 (b) (6) @navy.mil>

Cc: (b) (6) CAPT N01J <(b) (6) @navy.mil>; (b) (6) CAPT OJAG, Code

06 (b) (6) @navy.mil>; (b) (6) CAPT NAVIG, N00L <(b) (6) @navy.mil>; Thow,

(b) (6) CAPT NLSC, NJS (b) (6) @navy.mil>; (b) (6) CDR NAVIG, N00L

(b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 <(b) (6) @navy.mil>; (b) (6)

LCDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13

(b) (6) @navy.mil>; (b) (6) CIV OJAG, OJAG <(b) (6) @navy.mil>; Kiamos, Paul C

CAPT AJAG 01, Front Office (b) (6) @navy.mil>; (b) (6) CAPT OPNAV, N00J

(b) (6) @navy.mil>; (b) (6) CAPT OPNAV VCNO <(b) (6) @navy.mil>

Subject: RE: RFI's for JAG: Ethics Working Groups

(b) (5),

Unfortunately, I do not recall any tasking to us associated with the Ethics Working Group or specifically slide 9. Regardless, I believe much of the intent in that slide is being met through the requirement in VCNO's Annual SOC Guidance to conduct an annual internal ethics audit. (b) (5)

(b) (5)

Additionally, regarding the EWG, I'd like to use this opportunity to (b) (5)

Thanks!

V/R

(b) (6) r

CAPT (b) (6), JAGC, USN

Fleet Judge Advocate

U.S. Fleet Forces Command

Direct: (b) (6)

Office Main: (b) (6)

(b) (6) @navy.mil

(b) (6) @navy.smil.mil

-----Original Message-----

From: (b) (6) CAPT OJAG, CODE 13

Sent: Monday, October 01, 2018 2:26 PM

To: (b) (6) CAPT USFF, N01L (b) (6) @navy.mil>; (b) (6) CAPT N01J

<(b) (6) @navy.mil>; (b) (6) CAPT OJAG, Code 06 (b) (6) @navy.mil>; (b) (6)

(b) (6) CAPT NAVIG, N00L <(b) (6) @navy.mil>; Thow, Jonathan S CAPT NLSC, NJS

(b) (6) @navy.mil>; (b) (6) CDR NAVIG, N00L <(b) (6) @navy.mil>

Cc: (b) (6) CDR OJAG, Code 13 <(b) (6) @navy.mil>; (b) (6) LCDR OJAG, Code 13

(b) (6) @navy.mil>; (b) (6) CDR OJAG, Code 13 (b) (6) @navy.mil>; (b) (6)

(b) (6) CIV OJAG, OJAG (b) (6) @navy.mil>; Kiamos, Paul C CAPT AJAG 01, Front Office

(b) (6) @navy.mil>; (b) (6) CAPT OPNAV, N00J (b) (6) @navy.mil>

Subject: RFI's for JAG: Ethics Working Groups

All:

Last week, C13 completed our transition brief to the new JAG leadership, and one of the issues that came up was the status of the due-outs from the Ethics Working Group (EWG) that met in the 2016-2017 timeframe. More specifically, JAG asked C13 to provide an update of the EWG recommendations that VADM Crawford had approved and the status of each.

By COB Wednesday, if I can ask you to provide status updates for those initiatives in which you're the designated lead in the attached by COB Wednesday—please see as follows:

NJS: Slides 2, 3, 4, 5 and 6;

NAVIG: Side 7;

ISIC SJAs (PACFLT/FFC): Slide 9; and

COS, RLSO: Slide 10.

Please let me know if you any questions. In advance, many thanks and

V/R, (b) (6)

CAPT (b) (6)

Division Director

Office of the Judge Advocate General

Administrative Law (Code 13)



# Training Recommendations

Beginning with BLC 16030 (Aug 16), BLC students will no longer receive Ethics Counselor (EC) certification in the accessions course. BLC students will continue to receive 8 hours of ethics instruction including a graded written exercise.	<b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office: NJS</b> <b><i>Complete: 14 Oct 16</i></b>
FY17 PDS will include specific qualifications for ethics issues. These lines items may only be signed off by an EC. No judge advocate may deliver unsupervised ethics advice until these line items are completed.	<b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office: NJS</b> <b><i>Complete: 14 Oct 16</i></b>



# Training Recommendations

Beginning in FY17, the SJA course will include a minimum of 8 hours of ethics instruction including a graded written exercise. Course completion will be mandatory for all first-time SJAs prior to reporting. As an alternative, an instructor-led distance learning course with a minimum of 8 hours of ethics instruction including a graded written exercise will be available. This course will provide initial EC certification.

**JAG DIRECTED  
NJS/4416/CODE 64  
DEVELOP BILLET  
LIST AND COST  
ESTIMATE**

**Action Office:**

**Lead: NJS**

**Support: PERS 4416,  
Code 13**

***Complete: 13 Mar 17***



# Training Recommendations

Beginning in FY17, the ASJA course will include: (1) an instructor-led distance learning prerequisite that is assessed by a graded written exercise; and (2) an additional 4 hours of classroom instruction and small group discussion on managing and assessing a command ethics program. Course completion will be mandatory for all first-time Flag/General Officer SJAs prior to reporting and highly encouraged for Deputy SJAs on Flag/General Officer staffs. This course will provide initial EC certification.

**JAG APPROVED**  
**13 SEP 16**  
**Action Office:**  
**Lead: NJS**  
**Support: PERS 4416,**  
**Code 13**  
***Complete: 1 May 17***

Beginning in FY17, NJS will offer a 3-day NJS EC course. This course will offer continuing legal education for current Ethics Counselors and will serve as an alternative means to satisfy initial EC certification.

**JAG APPROVED**  
**13 SEP 16**  
**Action Office:**  
**Lead: NJS**  
**Support: PERS 4416,**  
**Code 13**  
***Complete: 19 Jul 17***





# Training Recommendations

Beginning in FY17, SJA course and/or Navy EC course quotas will be set aside for senior LNs. LNs will have breakout sessions focusing on identifying common ethics issues, managing a financial disclosure program, record keeping, and other topics related to paralegal support of a command ethics program.

**JAG APPROVED**

**13 SEP 16**

**LNS COMPETE FOR  
QUOTAS W/JUDGE  
ADVOCATES**

**Action Office: NJS**

**Support: CMC**

***Complete: 1 May 17***



# Training Recommendations

<p>Beginning in FY17 and in addition to core subjects of instruction and financial disclosure already included, all NJS ethics training will include basic level instruction in fiscal law, procurement, Joint Travel Regulations, and Reserve Component standards of conduct issues.</p>	<p><b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office:</b> <b>Lead: NJS</b> <b>Support: Code 13</b> <b><i>Partially Complete</i></b></p>
<p>Beginning in FY17, NJS, Code 13, VCNO Legal Counsel, and the DON Inspector General Legal Counsel, will develop annual mandatory refresher training for current ECs. Refresher training will be updated annually and focus on updates/changes to ethics regulations and the findings of senior official investigations. The training will be assessed with a written exam. The training will be mandatory for all current ECs.</p>	<p><b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office:</b> <b>Lead: Code 13</b> <b>Support: NJS, VCNO</b> <b>Legal, DON IG Legal</b> <b><i>Complete: 19 Jul 17</i></b></p>
<p>(b) (5)</p>	<p>(b) (5)</p> <p>October 2018</p>

UNCLASSIFIED



# Training Recommendations

In FY17, NJS will offer self-executing online ethics training for Flag Officer personal staff. Recommend requesting VCNO mandate this training in CY18 Flag Officer Standards of Conduct Guidance memo.

**JAG APPROVED**

**13 SEP 16**

**Action Office:**

**Lead: NJS**

**Support: Code 13,  
VCNO Legal**

***Pending Completion***



# Delivery of Advice Recommendations

As part of OJAG Knowledge Management initiatives, ECs should have access to a standardized and centrally maintained library of ethics resources and key external links. This library would be developed and maintained primarily by Code 13 on Code 13 SharePoint.

**CODE 13 MUST  
DETERMINE  
MANPOWER**

**Action Office:**

**Lead: Code 13**

***Complete: 1 Jan 17***

Code 13 managed library would include link to MilBook Suite, providing a blog-type forum to identify and discuss common issues. ECs would be expected to be familiar with this resource, and Code 13 could provide monitoring assistance.

***Complete: 17 Jul 17***

NJS, Code 13, and DON IG Legal Counsel will coordinate to draft and post user-friendly, executive summaries of senior official IG investigations for ECs and training materials. This resource would also be posted in the Code 13 library.

**JAG APPROVED  
13 SEP 16**

**Action Office:**

**Lead: DONIG LC**

**Support: Code 13,  
NJS**

***Pending Completion***

*October 2018*



# Delivery of Advice Recommendations

Beginning in FY17, names, billets, and contact information for all ECs will be validated and posted on the Code 13 SharePoint portal to facilitate and encourage regular discussion and information exchange. Code 13 will post the EC listing following validation of annual EC training.

**JAG APPROVED**

**13 SEP 16**

**Action Office:**

**Lead: Code 13**

***Complete: 1 Nov 17***



# Assessment Recommendations

<p>As part of annual training and certification for ECs, all ECs will be required to complete an ethics program self-assessment for their commands. On a two-year review cycle, ECs will be required to discuss findings and plan of action from their self-assessment with their ISIC's SJA.</p>	<p><b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office:</b> <b>Lead: ISIC SJAs</b> <b>Support: Code 13,</b> <b>VCNO Legal</b> <b><i>Pending Completion</i></b></p>
<p>All non-EC senior SJAs will be required to complete an annual ethics program self-assessment for their commands. Non-EC senior SJAs will be required to discuss their findings and plan of action from their self-assessment with the ISIC's SJA and/or RLSO Commanding Officer.</p>	<p><b>JAG APPROVED</b> <b>13 SEP 16</b> <b>Action Office:</b> <b>Lead: ISIC SJAs</b> <b>Support: Code 13,</b> <b>VCNO Legal</b> <b><i>Pending Completion</i></b></p>



# Assessment Recommendations

For SJAs attached to RLSOs, the RLSO Commanding Officers will conduct periodic review of SJA ethics advice in addition to the review of the annual self-assessment to ensure consistency and accuracy.

**JAG APPROVED**

**13 SEP 16**

**Action Office:**

**Lead: COS RLSO**

**Support: Code 13,  
VCNO Legal**

***Partially Complete***

## INFO MEMO

October 17, 2018

FOR: JUDGE ADVOCATE GENERAL OF THE NAVY

FROM: Deputy Assistant Judge Advocate General (Administrative Law)

VIA: Assistant Judge Advocate General (Civil Law)

SUBJECT: Ethics Counselor Working Group

References: (a) DJAG memo of 13 Jun 08  
(b) GC memo of 11 Sep 12

Encl: (1) Ethics Counselor Working Group Presentation (October 2018 Update)

### BLUF

- This memo addresses the current status of the Ethics Counselor Working Group (EWG) and identifies three leadership decision points: (b) (5)

### BACKGROUND

- Reference (a) implemented the Department of the Navy (DON) Ethics Counselor Certification and Training Program (ECCP) for judge advocates who practice under the cognizance of the Judge Advocate General of the Navy (JAG). The DJAG memorandum identified EC positions, core ethics subjects, approved live training courses, approved online training courses, appropriate self-study training, initial certification requirements, and annual refresher training requirements.
- Reference (b), identified the DON General Counsel (GC), as the Designated Agency Ethics Official (DAEO), designated JAG as the Alternate DAEO, and appointed the Deputy Judge Advocate General as one of the DON Deputy DAEOs. The Deputy DAEOs are responsible for overseeing and administering all ethics program requirements within their organizations. The GC memorandum appointed specific billets/positions as JAG ECs.
- In 2016, the JAG, VADM Crawford, convened the EWG to consider issues/concerns that developed as a result of recent Navy-wide senior officer misconduct cases, including GDMA. The EWG members included NAVIG Legal Counsel, PACFLT SJA, FFC SJA, NJS CO, and Code 13 Division Director. The NJS CO was designated the EWG lead and presented the findings/recommendations of the group to VADM Crawford in November 2016 (Enclosure (1), which has been updated to reflect status of actions approved as of October 2018).



## DISCUSSION

- The EWG made 17 recommendations on EC training, delivery of advice and program assessments to VADM Crawford. JAG approved 16 recommendations. (b) (5)

The current status of the 16 approved recommendations is outlined below:

- BLC students continue to receive 8 hours of ethics instruction but no longer receive EC certification upon completion of the accession course. NJS lead action office. Implemented 14 Oct 16.
- The FY17 Professional Development Standards (PDS) incorporate specific qualifications for ethics matters. NJS lead action office. Implemented 14 Oct 16.
- Develop a SJA course with 8 hours minimum of ethics instruction and a comparable instructor-led distance learning course to provide initial EC certification. NJS lead action office. Implemented 13 Mar 17.
- ASJA course include an instructor-led distance learning module prerequisite and an additional 4 hours of classroom instruction. Course completion will provide initial EC certification. NJS lead action office. Implemented 1 May 17.
- Develop a three-day EC course that offers continuing legal education to ECs. NJS lead action office. Implemented 19 Jul 17.
- Set aside SJA course and Navy EC course quotas for senior Legalman. Develop paralegal support breakout sessions for course curriculum. NJS lead action office. Implemented 1 May 17.
- All ethics training incorporate basic level instruction in fiscal law, procurement, joint travel regulations (JTR), and reserve component issues. NJS lead action office. Partially implemented. NJS currently incorporates fiscal law and JTR material in course offerings.
- Develop annual mandatory EC refresher training with focus on recent regulatory changes and senior official investigations. Code 13 lead action office. Implemented 19 Jul 17.
- Develop a self-executed online ethics training for Flag Officer personal staff. NJS lead action office. Pending implementation.
- Develop a standardized and centrally maintained library of ethics resources on Sharepoint. Code 13 lead action office. Implemented 1 Jan 17.

SUBJECT: Ethics Counselor Working Group

- Ethics resource library include MilBook suite providing interactive forum to discuss common ethics issues. Code 13 lead action office. Implemented 17 Jul 17.
  - Condense senior official inspector general investigations into executive summary and provide to ECs as training materials. NAVIG Legal Counsel lead action office. Pending implementation.
  - Validate EC names, billets, and contact information and post on Sharepoint. Code 13 lead action office. Implemented 1 Nov 17.
  - ECs perform annual ethics program self-assessment and provide findings to ISIC SJAs biannually. ISIC SJAs lead action offices. Pending implementation.
  - Non-EC senior SJAs complete an annual ethics program self-assessment and provide findings to either ISIC SJA or RLSO CO. ISIC SJAs lead action offices. Recommendation pending implementation.
  - RLSO COs periodically review ethics advice provided by RLSO-assigned SJAs. COS RLSO lead action office. Partially implemented. RLSO COs ensure review via routine oversight functions and Article 6 inspection process.
- Additionally, VADM Crawford requested the EWG consider the issue of whether JAG should require ECs to provide legal advice in written format. (b) (5)

DECISION POINTS

- (b) (5)
- 
- 

Prepared by: CDR (b) (6), OJAG Code 13, (b) (6)

**INFO MEMO**

26 Feb 16

FOR: ASSISTANT JUDGE ADVOCATE GENERAL (CIVIL LAW)

FROM: COMMANDING OFFICER, NAVAL JUSTICE SCHOOL

SUBJECT: Amended Ethics Working Group Plan of Action and Milestones

Reference: (a) AJAG (01) e-mail ltr of 16 Oct 15

(b) Ethics Working Group POA&M dtd 27 Oct 15

- Per ref (a), the Judge Advocate General convened an Ethics Working Group (WG). The mandate of the working group is to identify weaknesses, gaps, and seams in current ethics training for judge advocates and delivery of advice to clients. This plan of action and milestones (POA&M) updates the proposed working group agenda, meetings, and deliverables.
  - NLT 29 Feb: Suspense date for first review and proposed recommendations regarding current ethics training for judge advocates
  - NLT 7 Mar: Post specific questions regarding delivery of ethics advice and standardization of written memoranda and other ethics advice products
  - NLT 21 Mar: Collect RFIs on current delivery of ethics advice and standardization of written memoranda and other ethics advice products
  - NLT 28 Mar: Suspense date for first review and proposed recommendations regarding current delivery of ethics advice and standardization of written memoranda and other ethics advice products
  - NLT 11 Apr: Post specific questions regarding assessment of training and delivery of ethics advice
  - NLT 18 Apr: Collect RFIs on current assessments
  - NLT 25 Apr: Suspense date for first review and proposed recommendations regarding assessments
  - NLT 2 May: Second review of all proposed recommendations
  - NLT 9 May: Brief prepared for out brief to JAG leadership

Prepared By: CAPT Shannon Kopplin, Naval Justice School, (b) (6)

**From:** [John Hannink](#)  
**To:** [Hannink, John G RADM DJAG CNLSC](#)  
**Subject:** [Non-DoD Source] weekend documents  
**Date:** Saturday, May 6, 2017 10:24:17 AM  
**Attachments:** [MLTS East May2017.docx](#)  
[Leadership Characteristics for Trust.docx](#)  
[Magnetic Leaders.docx](#)

---

From MLTS:

(b) (6) (b) (6) : volunteered to help if needed with Ethics Working Group.

=       =       =       =       =       =       =       =       =       =       =       =

**01 items**

- ☐ **Ethics Working Group:** Mtg 13 Sep. [NJS & 01/13 working way ahead.]

16 Sep 2016

FROM: RADM J. G. Hannink, Deputy Judge Advocate General

SUBJECT: FY17 BILLET ALLOCATION

Reference: (a) Code 61 brief of April 2016

- At issue: allocation and redistribution of 21 JAGC billets.
- 

14. (b) (5) [REDACTED]  
[REDACTED] for Ethics Working Group action item implementation. Decision to follow.

**From:** (b) (6) CDR OJAG, Front Office  
**To:** [Hannink, John G RADM DJAG CNLSC](#)  
**Subject:** End of Day 15 July 16  
**Date:** Friday, July 15, 2016 5:09:22 PM

---

Admiral,

Routine day except for #10 below, which showed up just before I was going to hit send. 06 is looking for a decision on #3 (PPT attachment pertains), but everything else is informational.

7. CAPT (b) (6) is hoping for you to be able to synch with JAG soon. He would like to discuss the FY17 billet allocation plan with you. We got his comments back on the Ethics Working Group package also, with notation on the front (b) (5) CAPT (b) (6) said he was (b) (5)

VR,

(b)

CDR (b) (6), JAGC, USN

Executive Assistant to the Deputy Judge Advocate General/Naval Legal Service Command

Pentagon Office (b)

COM: (b) (6)

DSN: (b)

FAX: (b) (6)

NIPR: (b) (6)@navy.mil



**From:** (b) (6) [LT OJAG, Front Office](#)  
**To:** [Hannink, John G RADM DJAG CNLSC](#)  
**Cc:** (b) (6) [CDR OJAG, Front Office](#); (b) (6) [LT OJAG, Front Office](#)  
**Subject:** End of Day: 17 May 2016  
**Date:** Tuesday, May 17, 2016 6:54:25 PM

---

Admiral Hannink,

I hope the conference is going well.

Ethics Working Group:

- CAPT Kopplin and the Ethics WG have briefed CAPT Foster on their recommendations. They would like to brief you prior to BOA. I currently have a brief scheduled for the afternoon of 1 June.
- CAPT Kopplin has asked if you would like her to travel to DC to brief in-person. Due to the uncertainty of JAG's schedule, I recommend that the brief be conducted via VTC.

Very Respectfully,

LT [REDACTED]

Flag Aide to the Deputy Judge Advocate General & Commander, Naval Legal Service Command

Pentagon [REDACTED]

Com: [REDACTED]

Fax: [REDACTED]

[REDACTED]@navy.mil

FOR OFFICIAL USE ONLY -- PRIVACY SENSITIVE -- Any misuse or unauthorized disclosure can result in both civil and criminal penalties.

---

**Subject:** Ethics Working Group Outbrief (UPDATE: USE AUDIO LINE; VTC Conflict)  
**Location:** (b) (6)/VTC

**Start:** Thu 6/9/2016 9:00 AM  
**End:** Thu 6/9/2016 10:00 AM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Hannink, John G RADM DJAG CNLSC

**Required Attendees:** Kopplin, Shannon H CAPT NJS; Foster, Kirk A CAPT AJAG, 01; (b) (6) CAPT OPNAV N1, OJAG; (b) (6) CAPT OJAG, CODE 13; (b) (6) CAPT OPNAV, N09D; (b) (6) LCDR NJS\_NWPT; (b) (6) LtCol JA, JAD; Sharp, Gary E CAPT USFF, N01L

**Optional Attendees:** (b) (6) CTR NJS; (b) (6) LCDR OJAG, CODE 13; (b) (6) LCDR OJAG, CODE 13; (b) (6) LT OJAG, CODE 13; (b) (6) LT OJAG, Code 13; (b) (6) Attorney-Advisor/CDR/O-5 OJAG, 13

Audio Conference Line (backup to VTC):  
Back-up audio conference line will be available starting at 0830:

Comm: (b) (6)  
DSN: (b) (6)  
(b) (6)

---

Parties in the Pentagon are requested to come to OJAG Front Office Conference Room (b) (6). VTC Bridge info below;  
Audio conference backup below that.

VTC Bridge Information:

Conference Name: ETHICS WORKING GROUP

\*\*\* PIN Number: 25795# (YOU WILL NEED THIS NUMBER TO GAIN ACCESS TO YOUR CONFERENCE.) \*\*\*

Setup - 6/9/2016 0830 ET; Start - 0900 ET; End - 1030 ET

(3) VTC SITES: \*\*Please note ALL VTC participants will use the same Dial-In Number.\*\*

ISDN Dial-in Number up to (b) (6) for \*\*VTC\*\* participants: (b) (6) \*\*WHEN PROMPTED ENTER THE CONFERENCE PIN #.\*\*

Note: Each site can select the view they want to see by pressing \*\* (to bring up menu) then 1 (for My Actions) then 5 (to choose layout) after they have logged in and selecting the screen layout they desire. The standard view is Voice Activated that has be bridge automatically switch so the active speaker is viewed by all participants in full screen.

\*\*FOR LIVE SUPPORT\*\* PLEASE CALL THE NAVAL VIDEO SERVICES VTC Help Desk @

COMMERCIAL DIAL-IN: (b) (6)

DSN DIAL-IN: (b) (6)

TOLL FREE: (b) (6) (option 1, option 1, option 1)

\*\*\*When calling in for assistance, please ensure that you have the conference dial-in information, id/reservation #, and/or conference title so that we may resolve any issues as quickly as possible.\*\*\*

VTC Help Desk video ISDN test number is (b) (6)

VTC Help Desk video IP test number Alias is (b) (6)

---

Ladies and Gentlemen,

Due to DJAG attending the funeral of Ms. (b) (6) on 1 June, it is necessary to reschedule the Ethics Working Group. Proposed time is 0900 on 9 June (Thursday). Thank you.

Very Respectfully,

LT (b) (6)



Believe it or not, I'm working  
on a new project...

Ladies and Gentlemen,

DC participants are invited to (b) (6) Conference Room. A VTC will be set up with NJS (and possibly other participants).

V/R,



Believe it or not, I'm working  
on a new project...

LT (b) (6)

---

**Subject:** Ethics Working Group Update Brief  
**Location:** (b) (6)/VTC to NJS

**Start:** Wed 3/22/2017 10:15 AM  
**End:** Wed 3/22/2017 11:15 AM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Tentatively accepted

**Organizer:** Crawford, James W VADM JAG  
**Required Attendees:** Hannink, John G RADM DJAG CNLSC; Kiamos, Paul C CAPT AJAG 01, Front Office;  
Kopplin, Shannon H CAPT NJS; Sharp, Gary E CAPT OJAG, Code 06; (b) (6) CAPT  
OJAG, CODE 13

**1. For the “touchpoints” under your purview, what is your approach for continuous learning/improvement (e.g. schoolhouse course or unit level engagement; human-interfaced vs web-based, etc)? Do you need help in developing a framework of continuous learning?**

**Input:**

This response includes two aspects. First, how the JAG Corps implements continuous learning and improvement in operations and personnel development. Second, how the JAG Corps is informing individuals about the concept of high velocity learning and trying to instill HVL as a cultural trait.

a. Our approach to continuous learning involves both schoolhouse and unit-level on-scene training, and both human interface and DCS/Portal information.

- Applying learning science. In FY16, we hired a GS-15 Education Specialist for the staff of Naval Justice School. She is driving a course-by-course curriculum review, and helping us shift to a learner-directed environment. Notable changes include a reduction in use of powerpoint presentations and an increase in small group (team) application exercises.
- Schoolhouse leadership course for O-4 selects. The JAG Corps continued its work with NLEC to have all O-4 selects attend an in-residence course in Newport. The one-week course is centered on the NLEC curriculum, and adds several hours of JAG-specific blocks for leadership and ethics discussions. We assess this leadership training to be far more effective than training that could be delivered remotely or in geographically dispersed small groups. We are considering a request that NLEC add our senior enlisted paralegals into portions of this course.
- Military Justice training. The Trial Counsel Assistance Program (TCAP) and Defense Counsel Assistance Program (DCAP) visit every Region Legal Service Office and Defense Service Office annually to conduct in-depth, case-specific training with prosecutors and defense counsel. This training is driven by significant changes to the Uniform Code of Military Justice over the past few years and our recognition that trained prosecutors and defense counsel are indispensable to an effective justice system. Other military justice training and information is delivered remotely via DCS, or electronically via written updates.
- Career training continuum. We continue working to develop a career training curriculum for all members of our legal community. This will include waypoints for specific training depending upon seniority and duty assignment.

b. Our approach to HVL includes a dedicated effort in Knowledge Management and innovation. The OJAG Knowledge Management section established a Portal-based Innovation Hub. The Hub shares ideas received from throughout the community and enhances teamwork on solutions and improved practices. The KM site shares knowledge broadly with the JAG community on a range of legal topics, and also contains information on learning organizations. The concept of being a learning organization has been the topic of flag blog posts, and we are developing an additional flag-level written communication on the topic. A recent NAVIG inspection of Naval Legal Service Command noted several examples reflecting a learning organization, including establishment of a centralized administrative business office, use of TCAP and DCAP (discussed above), and a recent Ethics Working Group to revisit training provided to judge advocates on Government Ethics / Standards of Conduct in light of the GDMA investigation.

Do you need help in developing a framework of continuous learning? As a community, we are making good progress in establishing a framework within which judge advocates and uniformed paralegals receive training and professional development throughout their careers. Doing the same with civilian employees will be more challenging.

We are aware that periodic training does not necessarily translate into continuous learning. Training and awareness modules that describe and demonstrate the HVL approach in application might be useful.

**2. What challenges have you experienced in addressing this concept for your community or schoolhouse? What have you done to address these challenges and how do you assess the effectiveness of your/your community's efforts?**

**Input:**

Assessing effectiveness is hard. For example, since 2012 the JAG Corps has placed new attorneys into a First Tour Judge Advocate program, in which they spend six months in each of four main practice areas and complete a sequence of Professional Development Standards. Survey results indicate a great majority of respondents believe the program has been effective in preparing judge advocates for subsequent assignments, but there are no metrics to demonstrate numerically an improved performance. Similarly, we believe new O-4s gain significant value from in-residence training at NLEC, and subjective feedback indicates the officers believe it too, but there are no metrics to show that officers with this training perform better as leaders.

History can be hard to know and understand. With relatively high turnover in uniformed personnel and assignments, it can be difficult for the organization to understand its own history such that old lessons need not be relearned the hard way. We find it useful to draw on situations or cases from years ago as we explain why actions are being contemplated or taken.

**3. What do you believe to have been particularly successful approaches and why (e.g. specific/direct teaching modules, workshops, training or, alternatively, indirect reinforcement of continuous learning on existing materials, or both)?**

**Input:**

At the start of an initiative, ask specifically that the expected operating environment be recorded, along with the expected result. If not captured at the beginning, the subsequent assessment process will be deficient.

**4. Do you have the tools that you need, and are you using them? What additional tools do you need the most to help you move forward?**

**Input:**

The technology needed to enhance our Knowledge Management and information sharing is lacking. We rely heavily on the SECNAV Portal, but have encountered a number of issues:

- Significant periods of downtime, due to planned or unplanned maintenance.
- Bandwidth and capacity have not grown along with the user base. "Click and wait" is a frequent complaint.

- Lack of connection to external data bases, preventing creation of effective dashboards.
- Standard Client Access Licenses do not support workflow assessment and automation, process analysis, or data graphing.
- Storage is limited to 250MB per user.

Also, lack of data, or the ability to fully analyze existing data, hampers the ability to make assessments that take into account system-wide impacts, as called for by HVL and the learning engine approach.

Finally, we believe that some training continues to be most effective in person. Continued reduction in training and travel budgets will make holding this training more difficult.

**5. What are the indicators you are monitoring for signs of progress for inculcating a learning mindset in your command - at the individual and unit level, and across your community?**

**Input:**

In the near term, our primary indicators will be involvement in and results from the Innovation Hub, as well as the number of ideas and suggestions for action – at all levels – based on an observation that current practices could be improved.

**6. What are your concerns with this overall effort?**

**Input:**

That all learning will be labeled HVL, because “that’s what CNO and my leadership want to see.”

**7. As a leader, what have you found to be successful in helping inculcate this way of thinking and why? Also, what have you found counterproductive and why?**

**Input:**

Same as #3, above. At the start of an initiative, ask specifically that the expected operating environment be recorded, along with the expected result. If not captured at the beginning, the subsequent assessment process will be deficient.



JAG Community	The Department	Change Actions
	<ul style="list-style-type: none"><li>• <b>GDMA</b><ul style="list-style-type: none"><li>○ Ethics Working Group</li></ul></li></ul>	

## **THE JAG COMMUNITY**

## **Topic #4 – Glenn Defense Marine Asia (GDMA) Investigation**

JAG Overview. Although GDMA federal prosecution and disposition by the Navy Consolidated Disposition Authority (CDA) are ongoing, there were indications that improving ethics training and processes for staff judge advocates could be a helpful prophylactic action. The JAG directed Commanding Officer, Naval Justice School (NJS) to take the lead for this effort. This is a systemic action completely distinct from the ongoing reviews by the Department of Justice and the CDA.

### **Issue. Ethics Working Group incorporating GDMA lessons learned.**

**Discussion.** Since 2013, the counsel to the Vice Chief of Naval Operations has visited numerous flag staffs to review ethics practices of the staffs. Areas of review include matters such as processes for flag officer travel and disposition of gifts. A key objective has been to standardized processes and documentation, so that the same staff workflow is used as flag officers rotate from one staff to the next.

The JAGC is building on these efforts by incorporating recommendations from a senior Ethics Working Group, led by NJS. These include, for example, no longer certifying judge advocates as ethics counselors upon completion initial training in the Basic Lawyer Course and requiring attendance at specialized ethics training en route to an ethics counselor billet. We also developed a Navy Ethics Counselor Course, which tailors training to the naval service and provides additional training opportunities. In addition, as part of annual refresher training, ethics counselors are required to complete targeted training on recent ethics issues and changes in law, regulation, or policy. The JAGC continues to assess whether and how to establish new requirements for documentation of ethics advice for staff judge advocates and others.

### **Takeaway.**

- None; for information only

**From:** (b) (6) CDR OJAG, Front Office  
**To:** [Hannink, John G RADM DJAG CNLSC](#)  
**Cc:** (b) (6) LT OJAG, Front Office  
**Subject:** RE: End of Day 2 March 17  
**Date:** Friday, March 3, 2017 8:36:20 AM

---

Sir,

Will do on #2.

VR,

(b) (6)

-----Original Message-----

**From:** Hannink, John G RADM DJAG CNLSC  
**Sent:** Thursday, March 02, 2017 6:28 PM  
**To:** (b) (6) CDR OJAG, Front Office  
**Cc:** (b) (6) LT OJAG, Front Office  
**Subject:** RE: End of Day 2 March 17

Thanks (b) (6)

V/r, John

---

**From:** (b) (6) CDR OJAG, Front Office  
**Sent:** Thursday, March 02, 2017 5:17:07 PM  
**To:** Hannink, John G RADM DJAG CNLSC  
**Cc:** (b) (6) LT OJAG, Front Office  
**Subject:** End of Day 2 March 17

Sir,

Another quiet day overall. Items 2 and 3 will need attention on Friday.

2. JAG would like an update from the Ethics Working Group fairly soon. If you are ok with my doing so, I will work with CAPT Kopplin and JAG staff to get that scheduled.

VR,

(b)

CDR (b) (6), JAGC, USN

Executive Assistant to the Deputy Judge Advocate General/Naval Legal Service Command Pentagon Office (b)

COM: (b) (6)

DSN: (b)

FAX: (b) (6)

NIPR: (b) (6)@navy.mil

**From:** [Kopplin, Shannon H CAPT NJS](#)  
**To:** [Hannink, John G RADM DJAG CNLSC](#)  
**Cc:** (b) (6) [CDR OJAG, Front Office](#)  
**Subject:** RE: Reserve volunteer - ethics working group  
**Date:** Monday, May 8, 2017 4:30:05 PM

---

Admiral,

Thank you-- I am reassessing our current Ethics WG membership and will pass to JAG later this week to see if he wants to add/excuse members.

V/r  
Shannon

-----Original Message-----

From: Hannink, John G RADM DJAG CNLSC  
Sent: Monday, May 08, 2017 8:44 AM  
To: Kopplin, Shannon H CAPT NJS  
Cc: Kiamos, Paul C CAPT AJAG 01, Front Office; (b) (6) CAPT OJAG, CODE 13; (b) (6)  
LCDR, OJAG, Code 62; (b) (6) CDR OJAG, Front Office  
Subject: Reserve volunteer - ethics working group

Shannon -

During Saturday's Reserve MLTS East, I mentioned the Ethics Working Group that is ongoing.

Afterward, (b) (6) (rank?) indicated willingness to help as would be useful.

I recall she is associated with the (b) (6).

Just wanted to share this ... as a resource if helpful.

v/r, John

**From:** (b) (6) LCDR OJAG, Code 00/001  
**To:** Hannink, John G RADM DJAG CNLSC  
**Cc:** (b) (6) CAPT OJAG, Code 00/001; (b) (6) CDR OJAG, Front Office; (b) (6) CAPT OJAG, CODE 13; Klamos, Paul C CAPT AJAG 01, Front Office; "John Hannink"  
**Subject:** RE: SN Mtg - AJAG 01 + 13 + 18?  
**Date:** Saturday, September 23, 2017 9:02:54 PM  
**Attachments:** GDMA talking points.docx  
Ethics Working Group Flag Brief (JAG decisions and action offices assign....pptx)

---

Sir, I know Captain (b) (6) had an engagement tonight.

Below the tear line is Captain Kopplin's Responses to a recent JAG RFI. Also I attached a string of GMDA related RFIs from JAG from last week with their responses. Lastly, I attached the recommendations from the WG that you were briefed on last year, I believe.

v/r

////////////////////////////////////

- PLEASE GET WITH CAPT KOPPLIN AND PROVIDE ME WITH 3 OUTCOMES FROM OUR ONGOING ETHICS WG SPURRED BY GDMA.

--Requirements for Ethics Counselor certification were updated. Previously, judge advocates received certification to serve as an Ethics Counselor during the accessions training in the Basic Lawyer Course despite being unlikely to serve as an Ethics Counselor for 7-10 years. New requirement is for judge advocates to attend specific training en route to an Ethics Counselor assignment.

--To answer demand signal for targeted Navy ethics training, Navy developed and executed Navy Ethics Counselor Course. This course provides Ethics Counselor certification in a course with ethics issues specific to the naval service.

--Ethics Counselors are required to complete annual refresher training. In the past, this training was self-directed and self-certified. Ethics Counselors are now required to complete targeted training focused on recent ethics issues and changes in law/regulation/policy. This training is developed in a partnership amongst VCNO Legal, OJAG Code 13, and Naval Justice School.

Very Respectfully,

(b) (6)  
LCDR, JAGC, USN  
Deputy Executive Assistant to the  
Judge Advocate General of the Navy

(b) (6)  
(b) (6) @navy.mil

**From:** [Hannink, John G RADM DJAG CNLSC](#)  
**To:** (b) (6) [CAPT RL SO SW, SAN DIEGO](#)  
**Cc:** (b) (6) [CDR OJAG, Front Office](#)  
**Subject:** Time with JAG  
**Date:** Thursday, August 18, 2016 9:44:00 AM

---

(b) - if I can get a few minutes with JAG this afternoon, these are the topics I would like to raise.

3. Discuss Ethics Working Group package (recently returned to me)

I think a bit of time to discuss these will help keep a few things moving as JAG departs on leave.

Thanks!  
John